

### REMARKS

Claims 1-24 have been changed by this amendment. No new claims have been added. Claims 1-24 remain in the application.

#### Objection to the Title being on the Abstract Page

Applicants have requested that the specification be amended to remove the title from the Abstract page.

#### Objection to Claims 2, 3, 7, 8, 14, 15, 17, 18, 20, 21, 23, and 24 for lacking descriptions of the variables used in the formulas

These claims have been amended to include descriptions of the variables, thus overcoming this rejection, and thereby rendering them allowable. They have been further amended to include changes 1-4 as described in the next paragraph, which applicants believe make all claims clearer.

#### Claims 16 and 22 were rejected under 35 U.S.C. 102(e) as being anticipated by Kawaguchi USPN 6,873,835

Claims 16 and 22 are changed by this amendment as follows:

1. Restating the claimed device to be a "transmitting device" instead of a "transceiver",
2. Deleting "one or more receivers" as being included in the transmitting device (one or more receivers may be included in the transmitting device but are not required);
3. Changing "one or more transmitter antennas" to "a plurality of transmitter antennas" that are included in the transmitting device,
4. Changing the "one or more propagation channels" to be channel(s) that are between the plurality of transmitter antennas and "a plurality of receiver antennas of a receiving device".
5. Adding "based on measured, complex channel coefficients associated with the one or more propagation channels".

The examiner characterizes Kawaguchi as describing applicants' "vector norm". The examiner states that the amplitude measured in the I or Q receiver is a vector because it is "of the receive direction (vector)". Applicants believe that this characterization is in error, because

the voltage at any node in the receiver does not have a "receive direction" and is not a complex value. It has no direction. Furthermore, applicants believe that Kawaguchi does not describe a vector norm that is computed based on "based on measured, complex channel coefficients associated with the one or more propagation channels".

Claim 1 was rejected under 35 U.S.C. 103(a) as being unpatentable over Boren USPN 5,226,057

Claim 1 has been changed as described in items 1 to 4 listed under applicants' response to the rejection of claims 16 and 22, and further changed by adding "transmitting the at least one complex symbol value from the plurality of transmitter antennas"

Boren does not transmit the complex symbol value from a transmitter antenna. Applicants therefore believe that claim 1 is patentable over Boren, and over any of the other art cited, either singly or in any combination, including those including Boren.

Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Boran as applied to claim 1, and further in view of Hiramatsu USPN 6,600,933

Applicants believe that amended claim 4 is patentable inasmuch as it is dependent on claim 1, which applicants believe is patentable.

Claims 4 and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Boran as applied to claim 1, and further in view of Kawaguchi USPN 6,873,835

Applicants believe that amended claims 4 and 5 are patentable inasmuch as they are dependent on amended claim 1, which applicants believe is patentable.

Claim 6 was rejected under Hiramatsu in view of Morris

Claim 6 has been changed as described in items 1 to 4 listed under applicants' response to the rejection of claims 16 and 22.

Applicants believe that the examiner has mischaracterized Morris when stating "(Morris fig. 3: slicer 230 has channel filter coefficients over which the noise is removed and the signal normalizes[sic]) ." Applicants find no description of such channel filter coefficients. In fact applicants could find no mention of channel filter coefficients anywhere in Morris, nor the occurrence of the word "coefficient" in Morris. Therefore, applicants believe the rejection of claim 6 is faulty. Applicants believe that claim 6 is patentable over any of the other art cited, either singly or in any combination.

Claims 9-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hiramatsu as applied to claim 6, and further in view of Kawaguchi

Applicants believe that amended claims 9-12 are patentable inasmuch as they are dependent on amended claim 6, which applicants believe is patentable.

Claims 13 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi in view of Morris.

Claims 13 and 19 have been amended to describe the metric as being "based on measured, complex channel coefficients associated with the one or more propagation channels". The applicants believe that neither Kawaguchi nor Morris describe such metrics, and therefore believe that amended claims 13 and 19 are patentable over Kawaguchi, Morris, or any of the cited art, wither singly or in combination.

Claims 17 and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi in view of Dehghan USPN 6,782,043.

Applicants believe that amended claims 17 and 23 are patentable inasmuch as they are dependent, respectively, on amended claims 16 and 22, which applicants believe are patentable.

Notwithstanding their patentability on that basis, the applicants believe they are patentable on their own merit for the following reasons. Descriptions of the variables have been added to amended claims 17 and 23. The applicants believe that these variables are not taught by Kawaguchi, Dehghan, or any of the cited art, either singly or in combination, and that therefore claims 17 and 23 are patentable on their own merit.

#### Closing Remarks

Applicant notes that any amendments or claim cancellations made herein and not substantively discussed above are made solely for the purposes of more clearly and particularly describing and claiming the invention, and not for purposes of overcoming art. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicant's position with respect to any claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on such amendments or cancellations not substantively discussed. Furthermore, any remarks made herein with respect to a given claim or amendment are intended only in the context of that specific claim or

amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Applicant specifically reserves the right to prosecute claims of differing and broader scope than those presented herein, in a continuation application.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

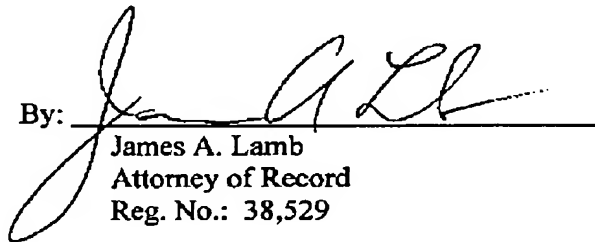
Please charge any fees associated herewith, including extension of time fees, to 502117.

Respectfully submitted,

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